

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**BOARD OF ZONING ADJUSTMENT**



Application No. 13634, of Boys and Girls Clubs of Greater Washington, Inc., pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.41 to use the subject premises as a day care center for forty children, ages two to five years, and thirteen teachers in an R-1-B District at the premises 3265 S Street, N.W., (Square 1299, Lots 964 and 1010).

HEARING DATE: January 20, 1982  
DECISION DATE: February 3, 1982

FINDINGS OF FACT:

1. The subject application was considered as a preliminary matter at the public hearing on January 20, 1982. Section 3.33 of the Supplemental Rules of Practice and Procedure before the BZA requires that a notice of the public hearing be posted on the property at least ten days in advance of the hearing. The property was posted for only nine days. The representative of the applicant testified that he was unable to pick up the notice from the Board before Friday, January 8, 1982, because of adverse weather conditions, and the earliest he could next obtain and post the notice was Monday, January 11, 1982. The affidavit filed in the record reflects that the notice was posted on January 11, 1982. The Chairman ruled to waive the ten-day requirement and hear the case.

2. The subject property is located in an R-1-B District on the north side of S Street between Wisconsin Avenue and 32nd Street, N.W.

3. The subject property is a large site containing approximately 4.5 acres. It has a frontage of only 125 feet on S Street. It is bordered on the west by the rear of commercial lots which front on Wisconsin Avenue and are zoned D/C-2-A and C-1. It is bordered on the north by property zoned C-1 occupied by a large Safeway store. It is bordered on the east by Dumbarton Oaks Park and the Dumbarton Oaks gardens and library. Across S Street to the south are single family dwellings.

4. The existing site is devoted to use as a boys and girls club, largely devoted to recreational purposes. The site is improved with a two-story brick building, swimming pool and large and varied athletic playing fields.

5. The applicants proposes to operate a day care center in addition to the other activities that already occur on the premises. The center would have forty children, ages two to six, and would be served by a staff of thirteen persons. The hours of operation for the day care center would be from 7 A.M. to 5 P.M.

6. The center will be operated within the existing building. It will use facilities on both floors of the building, including a large multi-purpose room, kitchen, arts and craft room and the gymnasium. There will also be a fenced in play area adjacent to the pool on the north side of the property which will be reserved for use of the center.

7. Since the activities for older children do not commence until after 3:00 P.M. on days when school is in session, the day care center will have exclusive use of the center property for a large portion of the time.

8. The building and outdoor play area are well removed from any adjoining residences. The building is set back approximately 300 feet from S Street.

9. There will be no articles of commerce for sale at the center.

10. The size of the site and the location and scope of the center's activities are such that the proposed use will not be objectionable to nearby property because of noise or the number of students.

11. The property has twenty-seven on-site parking spaces, and a long driveway and maneuvering area off of S Street. This is sufficient space on-site to accommodate all parking and drop-off needs. The additional traffic generated by the center will be minimal

12. The use is located just off Wisconsin Avenue, and is centrally located in Georgetown and the southern part of Ward 3. The center is likely to be used by children whose older brothers and sisters already attend activities at the club. It is anticipated that eighty percent of the children will reside in the general vicinity.

13. There is only one other licensed day care center within one-half mile of the subject site.

14. There is far in excess of 4,000 square feet of play area, indoors and out, available on the lot.

15. The Office of Planning and Development, by memorandum dated January 14, 1982, and by testimony at the hearing, recommended that the application be granted. The

OPD found that the proposed use is in compliance with the conditions set forth in Paragraph 3104.41 and will not adversely effect the use of nearby property. The Board concurs.

16. There was no report from Advisory Neighborhood Commission 3A.

17. There was no opposition to the application at the hearing or in the record.

CONCLUSIONS OF LAW AND OPINION:

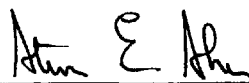
Based on the findings of fact and the evidence of record, the Board concludes that the applicant is seeking a special exception. In order to be granted such an exception, the applicant must demonstrate that it has complied with the requirements of Paragraph 3101.44 and Sub-section 8207.2 of the Zoning Regulations. The Board concludes that the applicant has so complied. There will be no articles of commerce for sale. Adequate play area and parking are provided. The use is necessary and convenient to the community in which it is located. The site is so large and so located that the center will have no adverse impacts on surrounding properties.

The Board further concludes that the special exception can be granted as in harmony with the general purpose and intent of the Zoning Regulations and maps and will not tend to affect adversely the use of neighboring property in accordance with said regulations and maps. It is therefore ORDERED that the application is GRANTED, SUBJECT to the following CONDITIONS:

1. Approval shall be for a period of FOUR YEARS.
2. The enrollment shall be limited to forty children.
3. Approval shall be limited to the operation of the day care center by the Boys and Girls Clubs of Greater Washington.
4. The hours of operation shall not exceed 7 a.m. to 5 p.m. Monday through Friday.
5. The fence surrounding the play area shall be constructed in conformance with Exhibit No. 18 of the record.

VOTE: 4-0 (Douglas J. Patton, William F. McIntosh, Connie Fortune and Charles R. Norris to GRANT; John G. Parsons not voting, not having heard the case).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:   
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: APR 14 1982

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS AND INSPECTIONS.